

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

JIMMIE COTTRELL

Plaintiff,

VS.

DOVENMUEHLE MORTGAGE, et al.

Defendants

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Case No. 4:12cv561

**MEMORANDUM ADOPTING REPORTS AND
RECOMMENDATIONS OF THE UNITED STATES MAGISTRATE JUDGE AND
ORDER DISMISSING CASE**

Came on for consideration the reports of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On December 19, 2012, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Defendant Mackie, Wolf, Zientz & Mann, P.C. a/k/a AVT Title (Substitute Trustees)'s Motion to Dismiss (Dkt. 7) be GRANTED and that Plaintiff Jimmie Cottrell's claims against Mackie, Wolf, Zientz & Mann, P.C. a/k/a AVT Title in this cause be dismissed without prejudice (*see* Dkt. 17). No objections were timely filed.

Then, on January 14, 2013, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that the remaining claims in this matter be dismissed for want of prosecution (*see* Dkt. 19). No objections were timely filed to that report.

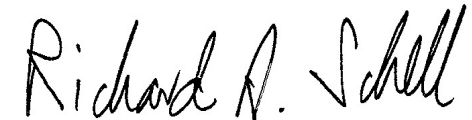
Having received the reports of the United States Magistrate Judge, and no objections thereto having been timely filed, this court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's reports as the findings and conclusions of the court.

Therefore, Defendant Mackie, Wolf, Zientz & Mann, P.C. a/k/a AVT Title (Substitute Trustees)'s Motion to Dismiss (Dkt. 7) is GRANTED, Plaintiff Jimmie Cottrell's claims against Mackie, Wolf, Zientz & Mann, P.C. a/k/a AVT Title in this cause are dismissed without prejudice, and all remaining claims herein are dismissed without prejudice for want of prosecution.

This matter shall be closed on the court's docket, and all costs shall be borne by the party incurring same.

IT IS SO ORDERED.

SIGNED this the 27th day of September, 2013.

A handwritten signature in black ink, reading "Richard A. Schell". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

RICHARD A. SCHELL
UNITED STATES DISTRICT JUDGE